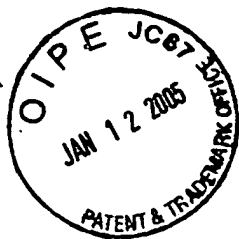


SAC  
9200/2616



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

ANTONIUS A.C.M. KALKER ET AL.

PHN 17,025

SERIAL NO.: 09/348,891

GROUP ART UNIT: 2616

FILED: July 6, 1999

EXAMINER: T.Q. Tran

DETECTION OF A WATERMARK IN A COMPRESSED VIDEO SIGNAL

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED

JAN 26 2005

Sir:

Technology Center 2000

PETITION UNDER 37 C.F.R. 1.181

In response to the Notice of Abandonment mailed December 14, 2004 (copy enclosed), Applicants hereby petition to withdraw the holding of abandonment in that there is no abandonment in fact.


In particular, Applicants received from the Board Of Patent Appeals and Interferences, a DECISION ON APPEAL mailed August 31, 2004. In response thereto, pursuant to 37 C.F.R. 1.114 and 1.198, Applicants had mailed, on October 28, 2004, a REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL along with an Amendment (copy enclosed). Further, enclosed herewith is a copy of Applicants' postcard receipt showing receipt of the above RCE/Amendment by the U.S.P.T.O. on November 1, 2004. In addition, enclosed herewith is a copy of the PAIR Page for the subject application indicating:

11-01-2004 - Workflow - Request for RCE - Begin

11-01-2004 - Workflow incoming amendment IFW

In view of the above, Applicants submit that there is no abandonment in fact, and respectfully request that this application be passed on for examination on the merits.

Respectfully submitted,

by   
Edward W. Goodman, Reg. 28,613  
Attorney  
Tel.: 914-333-9611

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as First-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

On January 10, 2005  
By Burnett James



## UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

|                 |             |                        |                     |                  |
|-----------------|-------------|------------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/348,891      | 07/06/1999  | ANTONIUS A.C.M. KALKER | PHN-17.025          | 5906             |

24737 7590 12/14/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

|          |
|----------|
| EXAMINER |
|----------|

TRAN, THAI Q

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2616

DATE MAILED: 12/14/2004

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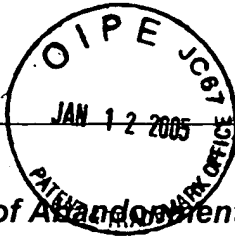
JAN 26 2005

Technology Center 2000

Please find below and/or attached an Office communication concerning this application or proceeding.

| DOCKETED  | DATE       | INITIAL |
|-----------|------------|---------|
| COMPUTER  | 12/17/2004 |         |
| SECRETARY |            |         |
| ATTORNEY  | 1/5/2005   |         |

04 DEC 17 AM 10:03



# Notice of Abandonment

Application No.

09/348,891

Examiner

Thai Tran

Applicant(s)

KALKER ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

JAN 26 2005

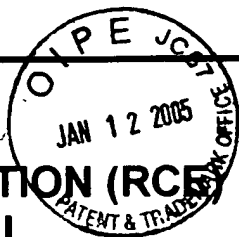
1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☒ The decision by the Board of Patent Appeals and Interference rendered on 8/31/2004 and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.



|                        |                        |
|------------------------|------------------------|
| Application Number     | 09/348,891             |
| Filing Date            | July 6, 1999           |
| First Named Inventor   | ANTONIUS A.C.M. KALKER |
| Group Art Unit         | 2615                   |
| Examiner Name          | Thai Q. Tran           |
| Attorney Docket Number | PHN 17,025             |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

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1. **Submission required under 37 C.F.R. § 1.114**

JAN 26 2005

Technology Center 2000

a. ☒ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on June 25 2003

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_ (may not be a brief)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))

b. ☐ Other \_\_\_\_\_

3. **Fees**

a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                   |                                   |                  |
|-------------------|-------------------|-----------------------------------|------------------|
| Name (Print Type) | Edward W. Goodman | Registration No. (Attorney/Agent) | 28,613           |
| Signature         |                   | Date                              | October 28, 2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel#: \_\_\_\_\_ on the date below:

|                   |               |      |            |
|-------------------|---------------|------|------------|
| Name (Print Type) | Burnett James | Date | 10/28/2004 |
| Signature         |               |      |            |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

ANTONIUS A.C.M. KALKERS ET AL.

PHN 17,025

Serial No.: 09/348,891

Group Art Unit: 2615

Filed: July 6, 1999

Examiner: T.Q. Tran

Title: DETECTION OF A WATERMARK IN A COMPRESSED VIDEO SIGNAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an amendment in the above-identified application.


[ X ] No additional fee is required.

[ ] The fee has been calculated as shown below.

| CLAIMS AS AMENDED   |   |   |                 |          |                   |
|---|---|---|-----------------|----------|-------------------|
|   | Claims<br>remaining<br>after<br>amendment | Highest<br>number<br>previously<br>paid for | Number<br>extra | Rate     | Additional<br>Fee |
| Total Claims  | 5   | Minus 20 <sup>1</sup> =                     |                 | X \$18 = | \$                |
| Independent<br>Claims   | 3   | Minus 3 <sup>2</sup> =                      |                 | X \$86 = | \$                |
| Multiple Dependent Claims, if any. If not previously paid, \$290. |   |   |                 |          | \$                |
| Total Additional fee for this amendment =                         |   |   |                 |          | \$                |

<sup>1</sup>If less than 20, enter 20. <sup>2</sup>If less than 3, enter 3.

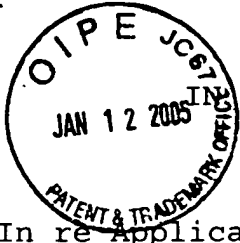
Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

  
Edward W. Goodman, Reg. 28,613  
914-333-9611

CERTIFICATE OF MAILING

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on Oct. 28, 2004  
Burnett James



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

ANTONIUS A.C.M. KALKER ET AL.

PHN 17,025

SERIAL NO.: 09/348,891

GROUP ART UNIT: 2615

FILED: July 6, 1999

EXAMINER: T.Q. Tran

DETECTION OF A WATERMARK IN A COMPRESSED VIDEO SIGNAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JAN 26 2005  
Technology Center 2600

Sir:

AMENDMENT

In response to the Decision on Appeal mailed August 31, 2004, and the accompanying Request for Continued Examination, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend the claims as follows:

1. (Previously Presented) A method of detecting a watermark in a compressed video signal comprising spectral coefficients obtained by transforming pictures of said video signal, the method comprising the steps:

5           accumulating spatially corresponding coefficients of a plurality of pictures;

          inverse transforming said accumulated coefficients into an accumulated plurality of pictures; and

          detecting the watermark in said accumulated plurality of  
10 pictures.

2. (Previously Presented) The method as claimed in claim 1, wherein said encoded video signal includes predictively encoded pictures each comprising coefficients representing a residual picture after subtracting a prediction picture, and wherein the  
5 step of accumulating coefficients is applied to the coefficients representing said residual pictures irrespective of coefficients representing the prediction picture.

3. (Previously Presented) The method as claimed in claim 2, wherein said predictively encoded pictures further include motion



vectors, and wherein the step of accumulating coefficients is carried out irrespective of said motion vectors.

4. (Previously Presented) An arrangement for detecting a watermark in a compressed video signal comprising spectral coefficients obtained by transforming pictures of said video signal, the arrangement comprising:

5                means for accumulating spatially corresponding coefficients of a plurality of pictures;

                 means for inverse transforming said accumulated coefficients into an accumulated plurality of pictures; and

                 means for detecting the watermark in said accumulated  
10 plurality of pictures.

5. (Cancelled).

6. (Previously Presented) A device for recording and/or playing back a compressed video signal, said device comprising means for disabling recording and/or playback of the video signal in dependence upon the presence of a watermark in said video signal,  
5 characterized in that the device comprises an arrangement for detecting said watermark in the video signal, said arrangement comprising:

#### REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 5 has been cancelled.

In the Decision on Appeal, due to Appellants statement that the claims stand or fall together, the Board limited its discussion to one claim, i.e., claim 5. However, claim 5, which has now been cancelled, only related to a decoder which included means for accumulating spatially corresponding coefficients of a plurality of pictures, and means for inverse transforming the accumulated coefficients into an accumulated plurality of pictures, and did not address the detecting of a watermark in a compressed video signal. As such, all of Appellants' arguments relating to the detecting of a watermark were not considered by the Board.



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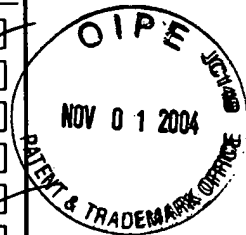
JAN 26 2005

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MS- RCE  
DOCKET NO. N17,025 DIV. Good SER. NO. 09/348891

PLEASE DATE STAMP AND RETURN TO  
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

|                           |                          |                      |                                     |
|---------------------------|--------------------------|----------------------|-------------------------------------|
| Application .....         | <input type="checkbox"/> | Amendment.....       | <input checked="" type="checkbox"/> |
| Pages of                  |                          | Issue Fee .....      | <input type="checkbox"/>            |
| spec., claims & abs.      |                          | Notice of Appeal.... | <input type="checkbox"/>            |
| Con. Doc.....             | <input type="checkbox"/> | Extension.....       | <input type="checkbox"/>            |
| Drawings           Inf.   | <input type="checkbox"/> | Mailing Cert.....    | <input checked="" type="checkbox"/> |
| No. Sh.....For.           | <input type="checkbox"/> | Assignment.....      | <input type="checkbox"/>            |
| Power of Att.....         | <input type="checkbox"/> | Decl. - signed.....  | <input type="checkbox"/>            |
| MLG. Date <u>10/28/04</u> |                          | - unsigned...        | <input type="checkbox"/>            |



JAN 26 2005

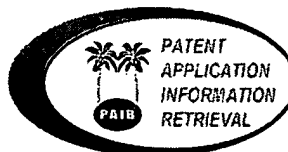


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## PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 1-5-2005::12:55:2 E.T.

| Search results for application number: 09/348,891 |   |                            |   |
|---|---|----------------------------|---|
| Application Number:                               | 09/348,891  | Customer Number:           | 24737   |
| Filing or 371(c) Date:                            | 07-06-1999  | Status:                    | Abandoned -- After Examiner's Answer or Board of Appeals Decision |
| Application Type:                                 | Utility   | Status Date:               | 12-13-2004  |
| Examiner Name:                                    | TRAN, THAI Q  | Location:                  | FILE REPOSITORY (FRANCONIA)                                       |
| Group Art Unit:                                   | 2616  | Location Date:             | 12-17-2004  |
| Confirmation Number:                              | 5906  | Earliest Publication No:   | -   |
| Attorney Docket Number:                           | PHN-17.025  | Earliest Publication Date: | -   |
| Class/ Sub-Class:                                 | 386/094   | Patent Number:             | -   |
| First Named Inventor:                             | ANTONIUS A.C.M. KALKER, EINDHOVEN, (NL)               | Issue Date of Patent:      | -   |
| Title Of Invention:                               | DETECTION OF A WATERMARK IN A COMPRESSED VIDEO SIGNAL |                            |   |

## Search Options

|                    |
|--------------------|
| Assignments        |
| Foreign Priority   |
| Image File Wrapper |

| File History |   |
|--------------|---|
| Date         | Contents Description                          |
| 12-14-2004   | Mailing of Abandonment after Board of Appeals |
| 12-13-2004   | Abandonment after Board of Appeals            |
| 11-01-2004   | Workflow incoming amendment IFW               |
| 11-01-2004   | Workflow - Request for RCE - Begin            |
| 08-31-2004   | Mail BPAI Decision on Appeal - Affirmed       |
| 08-31-2004   | BPAI Decision - Examiner Affirmed             |
| 07-14-2004   | Case Docketed to Examiner in GAU              |
| 03-05-2004   | Docketing Notice Mailed to Appellant          |

|            |  |
|------------|--|
| 03-05-2004 | Assignment of Appeal Number                                    |
| 02-27-2004 | Appeal Awaiting BPAI Docketing                                 |
| 10-21-2003 | Mail Examiner's Answer   |
| 10-17-2003 | Examiner's Answer to Appeal Brief                              |
| 08-08-2003 | Date Forwarded to Examiner                                     |
| 06-27-2003 | Appeal Brief Filed   |
| 05-06-2003 | Notice of Appeal Filed   |
| 05-06-2003 | Request for Extension of Time - Granted                        |
| 05-07-2003 | Mail Advisory Action (PTOL - 303)                              |
| 05-06-2003 | Advisory Action (PTOL-303)                                     |
| 04-30-2003 | Date Forwarded to Examiner                                     |
| 02-24-2003 | Amendment after Final Rejection                                |
| 01-29-2003 | Mail Final Rejection (PTOL - 326)                              |
| 01-27-2003 | Final Rejection  |
| 11-20-2002 | Date Forwarded to Examiner                                     |
| 11-15-2002 | Response after Non-Final Action                                |
| 11-15-2002 | Substitute Specification Filed                                 |
| 11-15-2002 | Information Disclosure Statement (IDS) Filed                   |
| 09-04-2002 | Mail Non-Final Rejection                                       |
| 09-03-2002 | Non-Final Rejection  |
| 10-06-2000 | Case Docketed to Examiner in GAU                               |
| 11-02-1999 | Information Disclosure Statement (IDS) Filed                   |
| 07-06-1999 | Preliminary Amendment  |
| 07-06-1999 | Request for Foreign Priority (Priority Papers May Be Included) |
| 07-06-1999 | Information Disclosure Statement (IDS) Filed                   |
| 04-18-2000 | Case Docketed to Examiner in GAU                               |
| 07-28-1999 | Application Dispatched from OIPE                               |
| 07-23-1999 | IFW Scan & PACR Auto Security Review                           |
| 07-14-1999 | Initial Exam Team nn   |